

Judge Ronald B. Leighton

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA**

CHARLES G. MILLER,
Plaintiff,
vs.
JO ANNE B. BARNHART, Commissioner of
Social Security Administration,
Defendant.

Case No.: 3:04-cv-05172-RBL-KLS

**ORDER GRANTING ATTORNEY
FEES UNDER 42 U.S.C. § 406(b)**

The Court, having considered Plaintiff's Motion For Attorney Fees Under 42 U.S.C. §406(b), the Office of General Counsel, Thomas M. Elsberry, representing defendant, it is hereby ORDERED, ADJUDGED AND DECREED that Plaintiff is eligible for attorney's fees under 42 USC 406(b), which allows 25% of the past due back benefits of \$25,896.00, in the amount of \$6,474.00. Plaintiff has already received \$5,225.00 for administration work which is not before this Court. Plaintiff is awarded the difference between \$6,474 and \$5,225 in the amount of \$1,249.00.

DONE IN OPEN COURT this 8th of December, 2005.

Ronald B. Lightner

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

Presented by:

Approved for entry; Notice waived by:

/s/ _____
PATRICIA PADILLA SKRINAR
WSBA #13772
Attorney for Plaintiff

/s/ _____
THOMAS M. ELSBERRY
WSBA #26456
Attorney for Defendant

**PLAINTIFF'S MOTION FOR
ATTORNEY FEES - 1**

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